



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,353	02/10/2004	Phillip Frederick	10557/293163	1160
30559	7590	11/14/2007	EXAMINER	
CHIEF PATENT COUNSEL SMITH & NEPHEW, INC. 1450 BROOKS ROAD MEMPHIS, TN 38116			SWIGER III, JAMES L	
			ART UNIT	PAPER NUMBER
			3733	
			MAIL DATE	DELIVERY MODE
			11/14/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

10/775,353

Applicant(s)

FREDERICK ET AL.

Examiner

James L. Swiger

Art Unit

3733

All participants (applicant, applicant's representative, PTO personnel):

(1) James L. Swiger.

(3) Elena Polovnikova.

(2) Eduardo C. Robert.

(4) Tom Wolfe; Phil Frederick; Jeff Shea.

Date of Interview: 05 November 2007.

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.  
If Yes, brief description: looked at various reamers, past and present.

Claim(s) discussed: 1 and 9 from submitted amendments with RCE 11/2/2007.

Identification of prior art discussed: Frieze et al. (US Pat 5,755,719) and Lechot (US Pub 2005/0075639).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
EDUARDO C. ROBERT  
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The claim amendments submitted were directed to the dome shape and, in one embodiment, having a second portion of the generally dome-shaped surface without teeth. The demonstration showed how these novel features were useful in surgery. Examiner felt that at least claim 1 still read on the prior art of record, but suggested to better define the "side" of the invention to be clearer on what segment or section is required by the invention. The 35 USC 102 rejection for claim 9 in view of Lechot was agreed to have been overcome as rejected in the Final office action. Further amendments may require additional search and consideration.